

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

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CLERK'S OFFICE  
U.S. DISTRICT COURT  
SAN JUAN, P.R.

SAMUEL MADURO CLASSEN,

Plaintiff,

v.

CIVIL NO. 98-2335 (RLA)

SOUTHERN FLYER, INC.,

Defendant.

MINUTES OF PRETRIAL CONFERENCE  
HELD ON APRIL 5, 2000  
ENTERING DEFAULT AGAINST DEFENDANT  
AND SCHEDULING DEFAULT TRIAL

At the PRETRIAL CONFERENCE held on April 5, 2000 from 11:30 a.m. to 11:45 a.m. plaintiff appeared through RAYMOND RIVERA, ESQ. Defendant SOUTHERN FLYER, INC. did not appear.

According to counsel for plaintiff, the deposition of SAMUEL POOLE as President of SOUTHERN FLYER, INC. was taken on February 23, 2000,<sup>1</sup> at which time the deponent agreed to produce various documents subpoenaed which have not yet been made available to plaintiff. Counsel further advised that MANUEL MIRANDA, ESQ. had telephoned him on March 15, 2000, to advise that MR. POOLE was going to retain his services to represent the defendant in these proceedings. On March 28, 2000, the day the Pretrial Order was due, MR. MIRANDA advised that he had not been retained yet. MR. RIVERA

<sup>1</sup> Mr. POOLE'S Motion for Protective Order (docket No. 16, filed on January 4, 2000) is MOOT.

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1 also advised that MR. POOLE had signed a return receipt  
2 acknowledging his receipt by mail of plaintiff's portion of the  
3 PRETRIAL ORDER.  
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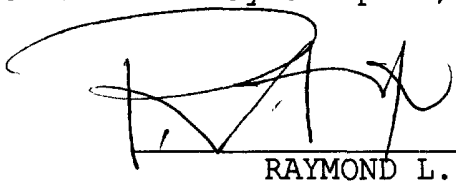
5 Defendant SOUTHERN FLYER having failed to submit its portion of  
6 the JOINT PRETRIAL ORDER as instructed by the Court despite  
7 plaintiff's attempts to prepare a joint document. See Informative  
8 Motion filed by plaintiff on March 28, 2000 (docket No. 18), and  
9 having also failed to appear at the PRETRIAL CONFERENCE held on  
10 April 5, 2000, in violation of Rule 16(f) Fed. R. Civ. P., **DEFAULT**  
11 is hereby ENTERED against it.

12 Based on the foregoing, a **DEFAULT TRIAL** will be held on **April**  
13 **12, 2000 at 9:30 a.m.**

14 This Order shall be notified by **FAX** and mail.

15 IT IS SO ORDERED.

16 San Juan, Puerto Rico, this <sup>Th</sup>6 day of April, 2000.

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19 RAYMOND L. ACOSTA  
20 United States District Judge  
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